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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,339	01/26/2004	Shawn R. Feaster	034047.003DIV1 (W 00-23B)	7108
53502 7590 09/01/2009 OFFICE OF THE STAFF JUDGE ADVOCATE (SKS) U.S. ARMY MED. RESEARCH & MATERIEL COMMAND 504 SCOTT STREET ATTN: MCMR-ZA-J (MS. ELIZABETH ARWINE) FORT DETRICK, MD 21702-5012				
EXAMINER				
SIEN, BIN				
ART UNIT		PAPER NUMBER		
1657				
MAIL DATE		DELIVERY MODE		
09/01/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

10/763,339

Applicant(s)

FEASTER ET AL.

Examiner

BIN SHEN

Art Unit

1657

All participants (applicant, applicant's representative, PTO personnel):

(1) BIN SHEN.(3) Suzannah Sundby.(2) JON WEBER.

(4) ____.

Date of Interview: 25 August 2009.

Type: a) ☐ Telephonic b) ☐ Video Conference

c) ☒ Personal (copy given to: 1) ☐ applicant 2) ☐ applicant's representative

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: ____.

Claim(s) discussed: 1.

Identification of prior art discussed: Doretti.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: "software means" is added as amendment to claim 1 as part of the device and urged as a basis of patentability. Examiners did not agree, considering the art rejection valid. But it was agreed to consult with Marjorie Moran, SPE in bioinformatics, whether this limitation provided any patentable distinctness, met the requirements for a proper 112/6 invocation, and satisfied other statutes.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/BIN SHEN/
Patent Examiner, Art Unit 1657